

From: [Greg Suba](#)
To: [FGC](#); Mastrup.Sonke@FGC
Subject: CNPS comments | proposed Rare plant Take Regulations
Date: Thursday, July 24, 2014 2:36:00 PM
Attachments: [CNPS Take Regs 072414.pdf](#)

Dear Executive Director Mastrup:

Please find attached a letter from the California Native Plant Society in general support of the Fish and Game Commission's proposed Take Regulations for Rare Plants. CNPS recommends the Fish and Game Commissioners adopt the regulations as proposed.

Sincerely,
Greg Suba
Conservation Program Director, CNPS
2707 K Street, Suite 1
Sacramento, CA 95816



CALIFORNIA
NATIVE PLANT SOCIETY

July 24, 2014

Sonke Mastrup, Executive Director
Fish and Game Commission
1416 Ninth Street, Box 944209
Sacramento, California 94244-2090

Dear Executive Director Mastrup:

The California Native Plant Society provides the following comments regarding the proposed Regulations for the Take of Rare Plants (proposed Take Regulations) being considered by the Fish & Game Commission (FGC).

We believe the proposed Take Regulations represent a positive step toward developing consistency for how state listed plants are treated under the California Endangered Species Act (CESA), as the proposed regulations would for the first time clarify the terms and conditions for permitting the take of plants listed as Rare under the Native Plant Protection Act (NPPA).

By establishing regulations to permit the take, possession, propagation, transportation, exportation, importation, or sale of plants that are state designated as Rare, the proposed Take Regulations will provide opportunities to apply the same conservative and prudent procedures for minimizing and fully mitigating impacts to Rare listed species under the provisions of Fish and Game Code Section 2081, while allowing economic use of land and resources, as are currently applied to plants state designated as Threatened, Endangered, or Candidate species.

While CNPS believes any modifications to statutory and/or regulatory language related to the 64 Rare listed plants should eliminate the NPPA exemptions (at Fish & Game Code subsections (b) and (c) of Section 1907, Section 1912, and Section 1913) that provide more for the destruction than the protection of these species, we do support the proposed Take Regulations for the regulatory clarity and conservation benefits they will provide to rare native plants in California. Our organization commends the efforts of both CDFW and FGC staff who have worked to develop and shepherd the proposed regulations through the required process. We urge the Fish and Game Commissioners to adopt the regulations as proposed.

Sincerely,

Greg Suba
Conservation Program Director, CNPS

Protecting California's native flora since 1965

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